

IN RE: AMENDMENT OF IDAHO)	
RULES OF CIVIL PROCEDURE)	ORDER AMENDING RULES
(I.R.C.P.) 1(a), 3(a), 5(d), 6(c)(1), 6(c)(2),)	
6(c)(3), 6(c)(4), 7(b)(3), 12(a), 16(c), 75(c),)	
75(d), 75(f) and FILING FEE SCHEDULE)	
and ADOPTION OF NEW RULE 43(b)(2))	
)	

The report of the annual meeting of the Child Support Advisory Committee having been submitted to the Court, recommending changes in the content and substance of the Idaho Rules of Civil Procedure, and the Court having considered the same;

NOW, THEREFORE, IT IS HEREBY ORDERED, that the Idaho Rules of Civil Procedure as they appear in the volume published by the Idaho Code Commission be, and they are hereby, amended as follows:

1. That Rule 1(a) be, and the same is hereby, amended to read as follows:

Rule 1(a). Scope of rules.

These rules govern the procedure and apply uniformly in the district courts and the magistrate's divisions of the district courts in the state of Idaho in all actions, proceedings and appeals of a civil nature whether cognizable as cases at law or in equity, including probate proceedings and proceedings in which a judge pro tempore is appointed pursuant to Idaho Court Administrative Rule 4; except that proceedings in the small claims department are governed by these rules only as provided by Rule 81. All references in these rules to the court or district court shall include the magistrate's division, and all references to judges or clerks shall include magistrates and their clerks and a judge pro tempore appointed pursuant to Idaho Court Administrative Rule 4, except as referred to in Rules 81, 82 and 83. These rules shall be liberally construed to secure the just, speedy and inexpensive determination of every action and proceeding.

2. That Rule 3(a) be, and the same is hereby, amended to read as follows:

Rule 3(a). Commencement of action.

(1) A civil action is commenced by the filing of a complaint with the court, which may be denominated as a complaint, petition or application, and any party filing the same shall be designated as the plaintiff or petitioner, and any party against whom the same is filed shall be designated as the defendant or respondent. Complaints, petitions or applications in family law cases, including divorce, custody, paternity, modification, minor guardianship, adoption, termination of parental rights, ~~and~~ civil protection orders, and child protection act shall not be filed unless and until the filing party furnishes to the clerk a completed family law case information sheet on a form adopted by the Supreme Court and furnished by the clerk. This family law case information sheet shall be exempt from disclosure according to I.C.A.R. 32(d). No claim, controversy or dispute, may be submitted to any court in the state for determination or judgment without filing a complaint or petition as provided in these rules; nor shall any judgment or decree be entered by any court without service of process upon all parties affected by such judgment or decree in the manner prescribed by these rules.

(2) Commencement of a protection order proceeding. An action for a domestic violence protection order may not be filed unless accompanied by information in whatever form required by the court to allow entry of the protection order into the Idaho Law Enforcement Telecommunications System (to be transferred by the court to the appropriate law enforcement agency with any signed order). A copy of this sheet shall not be maintained in the court file. Such action may be commenced or defended on behalf of a minor as set forth in I.R.C.P. 17(c). ~~A copy of this sheet shall not be maintained in the court file.~~

3. That Rule 5(d) be, and the same is hereby, amended to read as follows:

Rule 5(d). Filing.

All papers after the complaint required to be served upon a party shall be filed with the court either before service or within a reasonable time thereafter, ~~except that briefs may be lodged with the court and need not be filed.~~ If the papers have been filed before service, the filing date shall be noted thereon.

4. That Rule 6(c)(1) be, and the same is hereby, **REPEALED**.
5. That Rule 6(c)(2) be, and the same is hereby, amended to read as follows:

**Rule 6(c)(2) Orders to show cause (~~other than contempt matters~~)
~~Affidavits.~~**

(A) All applications for an order to show cause must be accompanied by an affidavit or supported by a verified complaint setting forth the facts and grounds upon which the application is based. If the court finds that an application makes a prima facie showing for an order commanding a person to do or refrain from doing specific acts or to pay a sum of money, the court shall enter an order to show cause to the opposing party to comply with the request or show cause before the court at a time and place certain why such order should not be entered. An order to show cause must be served upon the party to whom it is directed, or the party's attorney of record in the action, at least five (5) days prior to the date of the show cause hearing in the same manner as a notice for hearing of a motion under these rules. If the party to whom the order to show cause is directed opposes the entry of the order, the court shall hear the show cause proceeding ~~in the manner specified under Rule 6(c)(3).~~ The order to show cause procedure may not be used to seek a modification of a decree of divorce with respect to child support or custody. Any proceeding for contempt must be brought pursuant to Rule 75.

(B) Any party may elect to produce testimony and evidence at the hearing, or to cross-examine the adverse party and/or the adverse party's affiants, by giving notice to the court and the adverse party at least twenty-four (24) hours before the hearing, such notice shall designate the person(s) sought to be cross-examined. The party against whom relief is sought shall be given written notice of the requirements of this subsection when served with the order to show cause.

(C) If a party timely gives notice of the intent to cross-examine, the adverse party shall have the person(s) designated in the notice present at the hearing, unless otherwise ordered by the court. If the adverse party or such party's affiants are not excused by the court and fail to appear as requested in such notice, the court may impose sanctions as it deems appropriate including awarding attorney fees to the requesting party.

6. That Rule 6(c)(3) and Rule 6(c)(4) be, and the same are hereby, **REPEALED**.

7. That Rule 7(b)(3) be, and the same is hereby, amended to read as follows:

Rule 7(b)(3). Time limits for filing and serving motions, and affidavits and ~~lodging and serving~~ briefs.

Unless otherwise ordered by the court, which order may for cause shown be made on ex parte application, or specified elsewhere in these rules:

(A) A written motion, other than one which may be heard ex parte, and notice of the hearing thereon shall be filed with the court, and served so that it is received by the parties no later than fourteen (14) days before the time specified for the hearing.

(B) When a motion is supported by affidavit(s), the affidavit(s) shall be served with the motion, and any opposing affidavit(s) shall be filed with the court and served so that it is received by the parties no later than seven (7) days before the hearing.

* * *

(E) Any brief submitted in support of a motion shall be filed with the court, and served upon so that it is received by the parties, and lodged with the court at least fourteen (14) days prior to the hearing. Any responsive brief shall be filed with the court, and served upon so that it is received by the parties, and lodged with the court at least seven (7) days prior to the hearing. Any reply brief shall be filed with the court, and served so that it is received by the parties, at least two (2) days prior to the hearing.

~~(F) All briefs shall be lodged with the court by delivery to the presiding judge, or by delivery to the clerk of the court for delivery to the presiding judge, and need not be filed of record in the official court file of the action.~~

~~(F)~~ (G) If the office of the presiding judge or magistrate in any action is outside of the county in which an action is pending, the party serving any motion, affidavit, or brief shall simultaneously ~~lodge~~ send a copy ~~thereof with~~ to the presiding judge or magistrate, ~~which~~ Such ~~lodging~~ shall be in addition to the ~~lodging or~~ filing of the originals with the court of record.

8. That Rule 12(a) be, and the same is hereby, amended to read as follows:

**Rule 12(a). Defenses and objections - When and how presented –
By pleading or motion - Motion for judgment on pleadings -
When presented.**

A defendant shall serve an answer within twenty (20) days after the service of the summons upon the party, or within such longer period as is provided by statute. A party served with a pleading stating a cross-claim against him shall serve an answer thereto within twenty (20) days after the service of the cross-claim upon the party. The plaintiff shall serve a reply to a counterclaim in the answer within twenty (20) days after service of the answer or, if a reply is ordered by the court, within twenty (20) days after service of the order, unless the order otherwise directs. The service of a motion permitted under this rule alters these periods of time as follows, unless a different time is fixed by order of the court: (1) if the court denies the motion or postpones its disposition until the trial on the merits, the responsive pleading shall be served within ten (10) days after notice of the court's action; (2) if the court grants a motion for a more definite statement the responsive pleading shall be served within ten (10) days after the service of the more definite statement. In either case the time for service of the responsive pleading shall not be less than remains of the time which would have been allowed under these rules if the motion had not been made.

9. That Rule 16(c) be, and the same is hereby, amended to read as follows:

Rule 16(c) Subjects to Be Discussed at Pre-trial Conferences.

The participants at any conference under this rule may consider and take action with respect to:

* * *

(11) such other matters as may aid in the disposition of the action; ~~and~~

(12) ~~In domestic relations cases involving child custody and visitation issues, mediation of these issues must be considered~~ mediation of child custody and visitation issues in domestic relations cases; and

(13) any parties and/or witnesses needing an interpreter as provided by Idaho Court Administrative Rule 52.

10. That New Rule 43(b)(2) be, and the same is hereby, adopted to read as follows:

Rule 43(b)(2). Interpreters.

If any party, or person the party intends to call as a witness, needs an interpreter as provided in Idaho Court Administrative Rule 52, the party shall so notify the court at least fourteen (14) days before commencement of the court proceeding, or as soon as practicable in the event of an expedited hearing. If the party fails to do so without good cause and as a result the trial or hearing is postponed, the court in its discretion may impose and tax costs and expenses occasioned thereby against the party or the party's attorney.

11. That Rule 75(c) be, and the same is hereby, amended to read as follows

Rule 75(c). Nonsummary proceedings – Commencement.

Nonsummary contempt proceedings may be commenced only as provided herein.

(1) ~~Order to show cause~~ **Contempt initiated by a judge—**
Written charge of contempt. ~~If the alleged contempt consists of failing to appear in court, the contempt proceedings may be commenced by an order to show cause directed to the respondent. A judge may initiate contempt proceedings by issuing a written charge of contempt and having it served upon the respondent. The charge may be prepared by the court or by a party at the court's direction. The order to show cause written charge must be supported by an affidavit unless it is prepared by or at the direction of the judge and~~

the facts recited in it are based upon the judge's personal knowledge and/or upon information from the court file contained in documents prepared by court personnel. ~~The order to show cause must:~~

- ~~a. Notify the respondent of the charge of contempt.~~
- ~~b. Recite all facts constituting the alleged contempt, other than that the respondent's failure to appear in court was willful; and~~
- ~~c. Set a time, date, and place for the respondent to appear to answer the charge of contempt.~~

~~The order to show cause may be prepared by the court or by a party at the court's direction.~~

(2) **Contempt not initiated by a judge--Motion and affidavit.** All contempt proceedings, except those initiated by an

~~order to show cause for the failure to appear in court a judge as provided above, must be commenced by a motion and affidavit. The affidavit must allege the specific facts constituting the alleged contempt. Each instance of alleged contempt, if there is more than one, must be set forth separately. If the alleged contempt is the violation of a court order, the affidavit must allege that either the respondent or the respondent's attorney was served with a copy of the order or had actual knowledge of it. The need not allege facts showing that the respondent's failure to comply with the court order was willful. Contempt proceedings shall not be initiated by an order to show cause.~~

(3) **Factual allegations.** The written charge of contempt or affidavit must allege the specific facts constituting the alleged contempt. Each instance of alleged contempt, if there is more than one, must be set forth separately. If the alleged contempt is the violation of a court order, the written charge or affidavit must allege that either the respondent or the respondent's attorney was served with a copy of the order or had actual knowledge of it. The written charge or affidavit need not allege facts showing that the respondent's failure to comply with the court order was willful.

(4) **Notice to appear.** The respondent shall be served with written notice of the time, date, and place to appear to answer to the charge of contempt.

12. That Rule 75(d) be, and the same is hereby, amended to read as follows:

Rule 75(d). Nonsummary proceedings – Service – Time limits.

(1) If the contempt proceedings are initiated in connection with a pending action to which the respondent is a party, the ~~order to show cause~~ written charge of contempt or the motion, and affidavit, and written notice of the time, date, and place to appear may be served upon the respondent as provided in Rule 5(b), unless the court orders personal service.

(2) If the respondent is not a party to the pending action in which the contempt proceedings are brought, service shall be as provided in Rule 4, but the respondent need not be served with a summons.

(3) Notice of the time, date, and place to appear, together with the documents commencing the contempt proceedings, shall be served no later than seven (7) days before the date set for the initial appearance, unless otherwise ordered by the court.

13. That Rule 75(f) be, and the same is hereby, amended to read as follows:

Rule 75(f). Nonsummary proceedings – initial appearance of respondent.

* * *

(3) Appearance by respondent through counsel. A respondent may also appear and respond to the charge through an attorney, who shall either appear in person or shall file, at or before the initial appearance, a written appearance and response to the charge on behalf of the respondent. The court may, in its discretion, require the presence of the respondent at any stage of the proceeding.

IT IS FURTHER ORDERED, that the Filing Fee Schedule be, and the same is hereby, amended as follows:

SEE “FILING FEE SCHEDULE” ATTACHED HERETO

IT IS FURTHER ORDERED, that this order shall be effective on the first day of July, 2006.

IT IS FURTHER ORDERED, that the above designation of the striking of words from the Rules by lining through them, and the designation of the addition of new portions of the Rules by underlining such new portion is for the purposes of information only as amended, and NO OTHER AMENDMENTS ARE INTENDED. The lining through and underlining shall not be considered a part of the permanent Idaho Rules of Civil Procedure.

IT IS FURTHER ORDERED, that the Clerk of the Court shall cause this Order to be published in one issue of *The Advocate*.

DATED this __17th__ day of ____March____, 2006.

By Order of the Supreme Court

_____/s/_____
Gerald F. Schroeder, Chief Justice

ATTEST:

_____/s/_____
Stephen W. Kenyon, Clerk

APPENDIX “A”

2006 FILING FEE SCHEDULE - DISTRICT COURT AND MAGISTRATE DIVISION

DISTRICT COURT FILING FEES

Fee Category	Idaho Code Fund	Judges Retire. Fund	County Facility Fund	State	State/Guardship Project Fund	County Dist. Ct. Fund	ISTARS Tech. Fund	Total Fees
A. Civil Complaint for more than \$1,000								
1. No prior appearance	\$ 10.00	\$ 18.00	\$ 10.00	17.00		\$ 17.00	\$ 10.00	\$ 82.00
2. With prior appearance (Fee Category J. Pleadings)				17.00		17.00		34.00
B. Civil Complaint for more than \$300, but not more than \$1,000								
1. No prior appearance	10.00	18.00	10.00	10.00		4.00	10.00	62.00
2. With prior appearance (Fee Category J. Pleadings)				10.00		4.00		14.00
C. Civil Complaint for not more than \$300								
1. No prior appearance	10.00	18.00	10.00	9.00		3.00	10.00	60.00
2. With prior appearance (Fee Category J. Pleadings)				9.00		3.00		12.00
D. Unlawful detainer, forcible detainer, forcible entry (with or without rent, regardless of the dollar amount)	10.00	18.00	10.00	10.00		4.00	10.00	62.00
E. Claim and Delivery	10.00	18.00	10.00	17.00		17.00	10.00	82.00
F. 1. Divorce or legal separation (\$1.00 for court clerk fees I.C. § 39-266 & \$20 for the displaced homemaker account I.C. § 39-5009 & \$20 domestic violence project, I.C. § 39-5213)	10.00	18.00	10.00	52.00		23.00*	10.00	123.00
* This includes \$5.00 taken from the State General Fund fee, which shall be separately identified and deposited in the District Court Fund, for establishing a uniform system of qualifying counselors in domestic violence cases. I.C. § 31-3201A(pg)								
2. Annulment (\$1.00 for court clerk fee)	10.00	18.00	10.00	17.00		18.00	10.00	83.00
3. Paternity Action	10.00	18.00	10.00	17.00		17.00	10.00	82.00
G. 1. Petition to release common law or other lien.						35.00	10.00	45.00
2. Habeas corpus actions				17.00		17.00	10.00	44.00

Fee Category	Idaho Code Fund	Judges Retire. Fund	County Facility Fund	State	State/ Guard-ship Project Fund	County Dist. Ct. Fund	ISTARS Tech. Fund	Total Fees
filed by non-indigent prisoners								
3. All other actions or petitions (not demanding dollar amounts)	10.00	18.00	10.00	17.00		17.00	10.00	82.00
H. Small Claims		18.00	10.00			7.00		35.00

I. Civil Answers or Appearances								
1. Civil cases over \$1,000								
a. No prior appearance	10.00	18.00		10.00		4.00	10.00	52.00
b. With prior appearance (Fee Category J. Pleadings)				10.00		4.00		14.00
2. Civil cases for more than \$300, but not more than \$1,000								
a. No prior appearance	10.00	18.00		10.00		4.00	10.00	52.00
b. With prior appearance				10.00		4.00		14.00
3. Civil cases not more than \$300				10.00		4.00	10.00	24.00
4. Unlawful detainer, forcible detainer, forcible entry								
a. No prior appearance	10.00	18.00		10.00		4.00	10.00	52.00
b. With prior appearance (Fee Category J. Pleadings)				10.00		4.00		14.00
5. Claim and Delivery								
a. No prior appearance	10.00	18.00		10.00		4.00	10.00	52.00
b. With prior appearance (Fee Category J. Pleadings)				10.00		4.00		14.00
6. Divorce or legal separation								
a. No prior appearance	10.00	18.00		10.00		4.00	10.00	52.00
b. With prior appearance (With Category J. Pleadings)				10.00		4.00		14.00
7. All other actions								
a. No prior appearance	10.00	18.00		10.00		4.00	10.00	52.00
b. With prior appearance (Fee Category J. Pleadings)				10.00		4.00		14.00
8. Small Claims								No Fee
9. Paternity Action	10.00	18.00		10.00		4.00	10.00	52.00
10. Stipulation for Entry of Judgment								No Fee

Fee Category	Idaho Code Fund	Judges Retire. Fund	County Facility Fund	State	State/Guard-ship Project Fund	County Dist. Ct. Fund	ISTARS Tech. Fund	Total Fees
40-11 Any answer after an appearance								No Fee
J. Special motions, petitions and pleadings								
1. Motion for change of venue								
a. No prior appearance	10.00	18.00		10.00		9.00	10.00	57.00
b. With prior appearance (Fee Category J. Pleadings)						9.00		9.00
2. Order granting change of venue (pay to new county)						9.00		9.00
3. Petition to vacate or renew a judgment or reopen a case after no activity for one year, except for executions on judgment.								
a. No prior appearance	10.00	18.00	10.00			9.00	10.00	57.00
b. With prior appearance (Fee Category J. Pleadings)						9.00		9.00
4. Motion to reopen divorce action or to amend or modify divorce decree								
a. No prior appearance	10.00	18.00	10.00	15.00		17.00	10.00	80.00
b. With prior appearance (Fee Category I. or J. Pleadings)				15.00		17.00		32.00
5. Petition for Intervention	10.00	18.00	10.00			7.00	10.00	55.00
6. Third party complaint								
a. No prior appearance	10.00	18.00	10.00			8.00	10.00	56.00
b. With prior appearance (Fee Category J. Pleadings)						8.00		8.00
7. Cross Claim (defendant v. defendant or plaintiff v. plaintiff)								
a. No prior appearance	10.00	18.00	10.00			8.00	10.00	56.00
b. With prior appearance (Fee Category I. or J. Pleadings)						8.00		8.00
8. Counterclaim (defendant v. plaintiff)								
a. No prior appearance	10.00	18.00	10.00			8.00	10.00	56.00
b. With prior appearance (Fee Category I. or J. Pleadings)						8.00		8.00
9. Petition for judicial consent to abortion								No Fee
K. Juvenile and Family Matters								
1. Petition for adoption	10.00	18.00	10.00	10.00		7.00	10.00	65.00
2. Petition for termination of parent- child relationship	10.00	18.00	10.00	10.00		7.00	10.00	65.00

Fee Category	Idaho Code Fund	Judges Retire. Fund	County Facility Fund	State	State/ Guard-ship Project Fund	County Dist. Ct. Fund	ISTARS Tech. Fund	Total Fees
3. Consolidated adoption and termination of parent-child relationship	10.00	18.00	10.00	10.00		7.00	10.00	65.00
4. Petition for permission to marry	10.00	18.00	10.00	10.00		7.00	10.00	65.00
5. Petition under Juvenile Corrections Act								No Fee
6. Petition under Child Protection Act								No Fee
7. Petition for commitment of mentally ill								No Fee
8. Petition for sterilization								No Fee
L. Probate matters – The following fees to be charged whether it be a probate of a single or joint estate								
1. Application for informal probate								
a. No prior appearance	10.00	18.00	10.00	17.00		17.00	10.00	82.00
b. With prior appearance				17.00		17.00		34.00
2. Petition for formal probate (testacy determination)								
a. No prior appearance	10.00	18.00	10.00	17.00		17.00	10.00	82.00
b. With prior appearance				17.00		17.00		34.00
3. Any petition or application of any person for appointment as personal representative after petition or application for probate has been filed				17.00		17.00		34.00
4. Any petition for formal or informal probate asking for appointment of a personal representative	10.00	18.00	10.00	17.00		17.00	10.00	82.00
5. Initial petition, motion or appearance of any person, other than an applicant for personal representative (except for items 7, 8, and 11 below)								
a. No prior appearance	10.00	18.00	10.00	17.00		17.00	10.00	82.00
b. With prior appearance				17.00		17.00		34.00
6. Administration of estate under 15-3-1205, Idaho Code and proceedings to determine heirship without administration								
a. No prior appearance				10.00		4.00	10.00	24.00

Fee Category	Idaho Code Fund	Judges Retire. Fund	County Facility Fund	State	State/ Guard-ship Project Fund	County Dist. Ct. Fund	ISTARS Tech. Fund	Total Fees
b. With prior appearance				10.00		4.00		14.00
In addition to the above fees under Category L, the following probate fees shall be collected from any person filing the following documents, whether or not the person has appeared previously:								
7. Demand for notice (not an appearance)						9.00		9.00
8. Demand for bond (not an appearance)								
a. Before appointment of personal representative								No Fee
b. After appointment of personal representative						9.00		9.00
9. Objection or petition to contest probate of will								
a. No prior appearance	10.00	18.00	10.00	17.00		17.00	10.00	82.00
b. With prior appearance				17.00		17.00		34.00
10. Any petition for the appointment of a new personal representative filed as a contest to the appointment of a personal representative								
a. No prior appearance	10.00	18.00	10.00	17.00		17.00	10.00	82.00
b. With prior appearance				17.00		17.00		34.00
11. Petition for approval of compromise								
a. No prior appearance	10.00	18.00	10.00	10.00		4.00	10.00	62.00
b. With prior appearance				10.00		4.00		14.00
12. Intermediate or final accounting of personal representative						9.00		9.00
13. Petition for distribution of estate				13.00		6.00		19.00
14. Petition or appearance of any person filed more than 3 years after initial filing and more than 1 year after the last prior filing fee whether or not there has been a prior appearance (fee for reopening inactive file, but no further fee shall be charged such person under fee categories L1 thru 5)	10.00	18.00	10.00	17.00		17.00	10.00	82.00
15. Cases where a court order is issued only for a specific reason other than administration of an estate				10.00		4.00	10.00	24.00

Fee Category	Idaho Code Fund	Judges Retire. Fund	County Facility Fund	State	State/ Guardianship Project Fund	County Dist. Ct. Fund	ISTARS Tech. Fund	Total Fees
16. Filing of a copy of appointment of foreign personal representative								
a. No prior appearance	10.00	18.00		17.00		17.00	10.00	72.00
b. With prior appearance				10.00		17.00		27.00
If two or more of the above documents or pleadings are filed jointly under Category L as one instrument, the filing fee would be computed as though they had been filed separately.								
17. Cases to determine inheritance tax in transfer				10.00		4.00	10.00	24.00
18. Filing of a renunciation								No Fee
M. Guardianship Matters								
1. Petition for appointment of guardian								
a. No prior appearance	10.00	18.00	10.00	10.00	50.00	4.00	10.00	112.00
b. With prior appearance				10.00		4.00		14.00
2. Consent to testamentary appointment as guardian without petition								
a. No prior appearance	10.00	18.00	10.00	10.00	50.00	4.00	10.00	112.00
b. With prior appearance				10.00		4.00		14.00
3. Any objection by any person to the appointment of a guardian except that no fee shall be charged to the minor or alleged incapacitated person filing an objection								
a. No prior appearance	10.00	18.00		10.00	50.00	4.00	10.00	102.00
b. With prior appearance				10.00		4.00		14.00
4. Initial petition, motion, or appearance of any person except the minor involved	10.00	18.00		10.00	50.00	4.00	10.00	102.00
5. Intermediate or final accounting of guardian					25.00	9.00		34.00
6.5. Status reports					25.00			25.00
N. Conservatorship								
1. Petition for appointment of conservator								
a. No prior appearance	10.00	18.00	10.00	17.00	50.00	17.00	10.00	132.00
b. With prior appearance				17.00		17.00		34.00

Fee Category	Idaho Code Fund	Judges Retire. Fund	County Facility Fund	State	State/ Guard-ship Project Fund	County Dist. Ct. Fund	ISTARS Tech. Fund	Total Fees
2. Copy of appointment of foreign conservator								
a. No prior appearance	10.00	18.00		17.00	50.00	17.00	10.00	122.00
b. With prior appearance				17.00		17.00		34.00
3. Initial petition, motion, or appearance of any person	10.00	18.00		17.00	50.00	17.00	10.00	122.00
4. Intermediate or final account of conservator					41.00	9.00		50.00
5. Petition for final distribution of estate				13.00	41.00	6.00		60.00
6. Inventories					41.00			41.00
O. Joint Guardianship and Conservatorship								
1. Joint petition, same party guardian and conservator	10.00	18.00	10.00	17.00	50.00	17.00	10.00	132.00
2. Joint petition, different parties guardian and conservator (considered two filings)	20.00	36.00	20.00	17.00	50.00	17.00	10.00	170.00
P. Minor's Claim								
1. Petition for compromise of minor's claim								No Fee
2. Petition for compromise of a minor's claim with the appointment of a conservator								
a. No prior appearance	10.00	18.00	10.00	10.00		4.00	10.00	62.00
b. With prior appearance				10.00		4.00		14.00
Q. Trusts and Renunciations								
1. Registration of trusts and renunciations								No Fee
2. Initial petition, motion, or appearance of any person, except registration of trusts and renunciations	10.00	18.00		10.00		4.00		42.00
3. Intermediate or final accounting of trustee						9.00		9.00
4. Petition for final distribution of estate				13.00		6.00		19.00
5. Filing renunciations								No Fee

Fee Category	Idaho Code Fund	Judges Retire. Fund	County Facility Fund	State	State/Guardship Project Fund	County Dist. Ct. Fund	ISTARS Tech. Fund	Total Fees
R. Appeals and transfers from magistrate division to district court								
1. Appeal from magistrate division of district court								
a. Small Claims (Small Claims Dept. to Magistrate Division)	10.00	18.00	10.00			9.00		47.00
b. Small Claims (Magistrate Division to District Court)	10.00	18.00	10.00			9.00		47.00
c. Other Civil Appeals	10.00	18.00	10.00			9.00		47.00
d. Criminal Appeals								No Fee
2. Appeal or petition for judicial review, or cross-appeal or cross-petition, from commission, board or body to the district court	10.00	18.00	10.00	17.00		17.00		72.00
3. Any transfer from magistrate division to district court (to be paid by the party transferring or causing the action to be transferred in addition to any appearance fee)	10.00	18.00		10.00		4.00		42.00
S. Filing Foreign Judgment								
1. Filing judgment creditor						7.00		7.00
2. Motion or application of judgment debtor to stay execution	10.00	18.00		10.00		4.00	10.00	52.00
3. Filing a custody decree from another state under I.C. §32-1116								No Fee
T. Civil appeals or cross-appeals to the Supreme Court (District court fee \$9.00; Supreme Court fee \$86.00. The clerk of the district court shall collect the entire fee and remit the \$86.00 fee to the Supreme Court with a certified copy of the notice of appeal. Rule 23(b), I.A.R.)	(\$86.00 Sup. Ct)					9.00		95.00
U. Miscellaneous fees per statute (i.e. copies, passport fees, etc.)	As prescribed by statute							